

JEFFERSON COUNTY COMMISSIONERS  
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KEN WEBER, CHAIR

CHUCK NOTBOHM

TOM LYTHGOE

**PROCEEDING OF THE BOARD OF COMMISSIONERS  
COUNTY OF JEFFERSON, STATE OF MONTANA**

**December 18, 2007**

**Present:** Commissioners Lythgoe, Notbohm and Weber; Harold Stepper, County Planner; Bonnie Ramey, Clerk and Recorder; Kellie Doherty, Personnel Officer; Tara Mastel, JLDC; Glenn Marx, Whitehall Trails Committee; Kent Atwood, Montana City Trails; Jan Anderson, *Boulder Monitor/Jefferson County Courier*

**MINUTES**

Commissioner Weber moved to accept the minutes of November 20. Commissioner Lythgoe seconded. The motion carried.

Commissioner Weber moved to approve the minutes of November 27. Commissioner Notbohm seconded. The motion carried.

**REPORTS**

Receipt of November cash report from the Treasurer.

**CALENDAR REVIEW**

12/19 Elkhorn Mine Working Group - 10:00  
JLDC - Boulder - 2:00  
12/20 CTAC - 8:00  
Elected Official/Department Head meeting - 10:00  
County Christmas luncheon - noon  
MTAG - 5:00

**COMMISSION REPORTS**

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### ANIMAL SHELTER MEETING

Commissioner Weber reported that he met on the 12<sup>th</sup> with a group that is trying to move forward with an animal shelter for the county. Each has some assigned tasks. He is looking into land to locate the shelter, and others are looking into available grants and financing.

### LIBRARY BOARD

Commissioner Weber reported that he attended the Library Board meeting on the 13<sup>th</sup>. They will be developing a committee for north end library needs. They have decided to take applications to sit on committee. This will move forward after the first of the year.

### ELECTION NEEDS

Commissioner Weber reported that the Commission met that morning with Bonnie regarding election needs as it relates to what the Secretary of State is requiring. Two of our polling places, Basin and Cardwell, don't meet ADA requirements. She will be requesting a waiver for these two sites. If denied, she will have to pull those places into Boulder and Whitehall.

### RID FUNDING

Commissioner Weber reported that the Commission met with Jeremiah Theys of Great West Engineering, Bonnie and Joe Carter that morning regarding RID funding for the parcels that the County owns.

### BOULDER AFFORDABLE HOUSING COMMITTEE

Commissioner Notbohm reported that on Thursday he attended the Boulder Board of Housing meeting. They discussed the project, which is looking good. Commissioner Weber asked if there has been any word from DEQ on the permitting. Commissioner Notbohm stated that they were hoping to hear as soon as this week about it.

## ELECTED OFFICIAL/DEPARTMENT HEAD CONCERNS

### ANNUAL FINANCIAL REPORT

Bonnie stated that she needs to present the annual financial report to the Commission and also the statute that requires publication of availability. Commissioner Lythgoe asked if that includes the MD&A. Bonnie stated that it does. She noted that if the Commission chooses to do a summary, it takes about 15 pages.

### MONTANA TUNNELS

Commissioner Notbohm stated that he has something that he would like put on a future agenda. The Commission had a discussion that morning regarding a gravel agreement with Montana Tunnels. He would like an official agreement drawn up so that this can be taken care of. Commissioner Weber stated that after Commissioner Lythgoe and Joe Carter meet with Tunnels, that would be appropriate.

### CORRESPONDENCE

### REQUEST FOR CTEP FUNDS

Commissioner Weber stated that he has a letter from the Whitehall Trails Committee regarding

CTEP funds. Glenn Marx came to speak to the Commission regarding this. Glenn stated that the Trails Committee has been working on a walking trail for some time. The need was identified through the Horizons program. They have brought in a land trust from Bozeman who has worked with the town of Bozeman and Gallatin County Commission. They have developed a 15-mile trail network in greater Gallatin County. The land trust came and talked to the trail committee and gave a very good presentation about how trails are funded and constructed. Since then, they have started to work with the Whitehall Community Development Board. They will also be working with the town council. They would like to get some CTEP money down to the Whitehall area to work on the trail. They have an anonymous donor that will donate up to \$50,000 once they know that the project is underway. They may at some point be asking the Commission to consider the trail as parkland dedication for a subdivision.

Commissioner Lythgoe asked if they have any idea on the amount of money they would be requesting and where the trail would be located. Glenn stated that they would like to go from the rodeo grounds to the fish pond. They are researching which route would be most feasible. As for amount, they are not sure at this time; they have gotten figures that a trail can start at \$30,000/mile for a cinder trail. A bridge and landscaping would drive costs up. By the end of the project, they would probably be in \$100,000 range. Commissioner Lythgoe stated that he is not sure that CTAP would allow for other than a hard surface. Commissioner Weber asked if they got a hard surface price range. Tara stated that she doesn't remember, but it is quite a lot more. Glenn stated that the price for bridges vary widely also.

Commissioner Lythgoe asked Kent Atwood if they have a hard surface figure for their trail. Kent stated that it is about \$50,000 for the asphalt top coat. Commissioner Notbohm asked if they have looked into right-of-way yet. Glenn stated that they have started title search at the courthouse. There is also a railroad corridor through there. Commissioner Weber stated that having been somewhat involved with Horizons as well as the trail from its inception, his perception that the momentum has picked up and there very realistically could be work starting on this as soon as next year. Glenn stated that they would like to start construction in 2008. He noted that the Whitehall community has a history of getting things done, such as the swimming pool, baseball and soccer fields, skate park, and murals. The one thing that Whitehall doesn't have is a walking trail. Commissioner Lythgoe asked the length of the trail from fairgrounds to fish pond. Glenn stated between a mile and mile and a half, depending on route. Commissioner Weber thanked Glenn for coming to speak to the Commission.

#### REQUEST FOR LETTER OF SUPPORT

Tara Mastel stated that the JLDC is writing a grant to the Big Sky Trust Fund. She is requesting that the Commission write a letter of support. The grant application is due the end of the month. The grant involves updating and validating the master plan for the Whitehall business park, as well as marketing and a plan for a business incubator, which would include a management plan. This is something that they felt that they need to get more tenants in the business park.

Tara read the draft letter of support (on file in the Clerk and Recorder's office). Commissioner Notbohm asked what amount the grant is for. Tara stated that they will be asking for \$25,000,

with a match from JLDC of \$10,000. She stated that these are very specialized plans, and no one in Montana is able to do this. Because of this, they are looking at a national firm to do this.

Commissioner Weber moved to use Tara's draft to create a letter of support for the grant. Commissioner Lythgoe seconded. The motion carried.

## **ITEMS FOR COMMISSIONERS ACTION OR REVIEW**

### **SIGN JACK MOUNTAIN OPEN SPACE AFFIDAVIT**

Harold Stepper, County Planner, stated that there is open space in the Jack Mountain subdivision that was to go back to the homeowner's association. As a result of what went onto the plat, the County is getting a \$5 tax bill for each of these parks. In talking to Kim at the Department of Revenue, if the Commission signs an affidavit, it can be attached to the plat and given back to the homeowner's association. Commissioner Weber asked if this has been through Matt's review. Harold said that it hasn't been yet. Harold stated that in talking with Dan Johnson, the developer, since we are already in the penalty and interest phase we will pay this year and get the ownership moved. Commissioner Weber moved to sign the affidavit. Commissioner Lythgoe seconded. The motion carried. Commissioner Lythgoe moved to pay the taxes, penalties and interest for this year. Commissioner Weber seconded. The motion carried.

### **DISCUSS AND DECIDE ON EARMARKING CTEP FUNDS FOR THE MONTANA CITY TRAILS PROJECT**

Kent Atwood, Montana City Trails and Trust, presented the grant application. He then introduced Kacey Askin, president of Montana City Trails and Trust. Kacey stated that he wanted to approach the Commission regarding CTEP. They are into phase 2 and asking for CTEP funds to complete the budget. The total project cost is \$176,500, and if they were to receive \$58,441 in CTEP funds, they would have the full amount for the project. They have been fund raising, and will be able to put some money towards the match, so this would decrease what the county would need to provide. This would be put on with the safe routes to school application, which are awarded a higher ranking if CTEP funds are attached.

Commissioner Weber asked for a quick overview of their construction time line. Kacey stated that they are hoping for grants to be awarded by March 2008, and begin construction in spring with completion in September 2008. Also, they need to spend FWP grant funds by October 08, so under the gun to get those spent.

Commissioner Weber stated that he is torn. Commissioner Lythgoe stated that he doesn't need to be. They currently have \$98,203 in CTEP funds. In April of this year we will get another \$47,447, for \$145,650 total. This leaves us a pretty good chunk of money. Commissioner Lythgoe stated that we are committed to give some money to the Whitehall area, which Kacey is aware of. The County will receive more money in April 2009, so he feels that the county has the money for both. Kacey stated that they have done a lot of work in fundraising and getting other grants and donations from private sources.

Commissioner Weber stated that he hates to be in the “this against that” position, because both are valid projects. He asked Glenn if the private donor willing to give \$50,000 has any criteria for the donation. Glenn stated that they haven’t gotten down to specifics, but when the donor is convinced that the trail is moving forward, he will give the money.

Commissioner Notbohm asked what other projects are acceptable for CTEP funds.

Commissioner Lythgoe stated that if a historic building is visible from a state highway, then it is eligible. Sidewalks and trails are some of the easiest things to get funded under CTEP.

Commissioner Notbohm stated that he is supportive of these kinds of projects; he would like the Commission to not forget that they discussed work to the courtroom. Commissioner Lythgoe stated that interior work is not eligible. Wishes that it were, but it isn’t. Commissioner Weber stated that the hesitancy is not towards their project at all, which he fully supports. They have been trying very hard to get a CTEP project in Whitehall for some time. He feels that they are moving forward and doesn’t want to put up any roadblocks in the way of momentum that is being built. He thinks that they can probably do both. Commissioner Lythgoe stated that they have done one CTEP project in Basin, one in Boulder and a couple on the north end, and he too wants to see one in Whitehall.

Commissioner Weber moved to award Montana City Trails Project \$58,441 of CTEP funding. Commissioner Lythgoe seconded. The motion carried. Commissioner Weber stated that he is still very strongly in support of the Whitehall project. Kasey stated that they have been working since 2002 to get trails in the Montana City community. They would like to have the County look at making a trail district in the area, and open up to the public to gauge what they would be willing to support. Commissioner Weber stated that the thing they want to remember in a district is that the potential use has a benefit for the entire district. A trail in Montana City isn’t going to benefit someone in Clancy, so they will want to look at that when considering district boundaries.

Commissioner Weber stated that as for the county match, this will have to be put on a future agenda.

#### APPROVE APPLICATION FOR SAFE ROUTES TO SCHOOL GRANT

Commissioner Lythgoe moved that the County be the governmental agency behind the Safe Routes to School grant application. Commissioner Weber seconded. The motion carried. Commissioner Lythgoe stated that leaves \$88,000 to \$89,000 in the CTEP fund available for Whitehall, if they are able to put something together for next summer.

#### RESOLUTION 42-2007 SETTING HOLIDAYS FOR 2008

Commissioner Weber read the resolution as follows:

### **RESOLUTION 42-2007**

### **RESOLUTION TO SET OFFICIAL HOLIDAYS FOR THE YEAR 2008**

**WHEREAS**, Montana State Statute 1-1-216 identifies legal holidays for state and local holidays,

**NOW, THEREFORE, BE IT RESOLVED** that Jefferson County Board of County Commissioners designates the following dates as holidays in Jefferson County for the year 2008.

<u>Holidays</u>	<u>Observed</u>
New Year's Day	Tuesday, January 1, 2008
Martin Luther King Day	Monday, January 21, 2008
President's Day	Monday, February 18, 2008
Memorial Day	Monday, May 26, 2008
Independence Day	Friday, July 4, 2008
Labor Day	Monday, September 1, 2008
Columbus Day	Monday, October 13, 2008
State General Election Day	Tuesday, November 4, 2008
Veteran's Day	Tuesday, November 11, 2008
Thanksgiving Day	Thursday, November 27, 2008
Christmas Day	Thursday, December 25, 2008

**BE IT FURTHER RESOLVED** that Friday, November 28<sup>th</sup> will be given as a day off with pay.

**BE IT FURTHER RESOLVED** that County offices and facilities will be closed on these days with the exception of essential services.

**DATED** this 18<sup>th</sup> day of December, 2007.

**ATTEST:**

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**BONNIE RAMEY**  
**CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**

Commissioner Lythgoe moved to adopt resolution 42-2007. Commissioner Notbohm seconded. The motion carried.

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**DISCUSS AND DECIDE ON FUNDING FOR TWO PARCELS IN THE SOUTH HILLS RSID**

Commissioner Weber stated that Bonnie has indicated that she just needs a memo directing her to pay the RID fees. Commissioner Weber moved to draft a memo to Bonnie to pay for these parcels out of the general fund. Commissioner Lythgoe seconded, and noted that the money to be used is from administration fees for the RSID. Commissioner Notbohm stated that this is taxes. Commissioner Weber noted that they are district taxes. The motion carried.

**DISCUSS AND DECIDE ON PAYMENT OF BACK TAXES ON PRONGHORN LOT 6**

Commissioner Weber stated that this is the taxes for the lot they were just discussing that the County purchased for right-of-way for the frontage road. They discussed letting the parcel go for taxes. Harold stated that going through the tax deed process will cost the County more. Commissioner Lythgoe asked about contacting adjacent landowners and having them do a boundary adjustment. Harold stated that this is one of the options discussed. They have discussed in the zoning commission the possibility of pursuing the sewer district and placing a lift station there. Commissioner Lythgoe moved to pay the back taxes on Pronghorn lot 6, to be paid from the general fund. Commissioner Weber seconded. The motion carried.

Commissioner Weber moved to adjourn. Commissioner Lythgoe seconded. The motion carried.

**MEETING ADJOURNED**

**ATTEST:**

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**BONNIE RAMEY**  
**CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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